

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1897 of 2021**

Arising Out of PS. Case No.-139 Year-2016 Thana- JOGBANI District- Araria

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Ramkaran Yadav S/O Ramaswarup Yadav R/O Village-Tikuliya Basti, P.S.-  
JOGBANI, District-Araria.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

=====

**Appearance :**

For the Petitioner/s : Mr.Kundan Kumar Singh

For the Opposite Party/s : Mr. Raj Kishore Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      17-12-2021                      Heard learned counsel for the petitioner and learned  
APP for the State through virtual mode.

Learned counsel for the petitioner is directed to remove  
the defects, as pointed out by the Office, within a period of eight  
weeks.

The petitioner is apprehending his arrest in a case  
registered under Sections 20 and 22 of N.D.P.S. Act in which  
cognizance has been taken under Sections 20 and 22 of the N.D.P.S.  
Act and 27(b)(ii) and 28 of the Drugs and Cosmetic Act.

The prosecution allegation, in short, is that 20 bottles of  
cough syrup along with injections is recovered.

It has been submitted on behalf of the petitioner that the  
petitioner has got no criminal antecedent. There is no allegation of  
tampering of witnesses alleged against the petitioner. The petitioner  
has been made accused due to mistake of fact. Some allopathic



medicine is said to have been recovered from rickshaw. The name of the petitioner has transpired on the basis of disclosure made by co-accused. Except for this, there is no other substantive evidence to suggest his implication in the present case. There is no recovery of any contraband articles from the possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 1<sup>st</sup> Additional Sessions Judge, Araria in connection with Special Case No. 37/2016 arising out of Jogbani P.S. Case No. 139/2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Pankaj/-

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